

New York State Department of Environmental Conservation

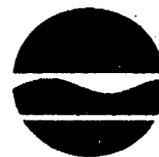
Division of Solid & Hazardous Materials

Office of the Director

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Alexander B. Grannis
Commissioner

**(PRM-32-6
(75FR01559)**

DOCKETED
USNRC

6

March 24, 2010

March 25, 2010 (4:25pm)

Ms. Annette Vietti-Cook, Secretary
US Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, DC 2055-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Dear Ms. Vietti-Cook:

Re: Docket ID NRC-2009-0547

The purpose of this letter is to comment on Petition for Rulemaking 32-6 (PRM 32-6), regarding the regulation of tritium exit signs.

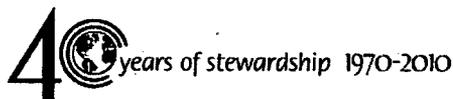
The New York State Department of Environmental Conservation (NYSDEC) appreciates the opportunity to comment on PRM 32-6 regarding the regulation of tritium exit signs. We are in agreement with the Association of State and Territorial Solid Waste Management Officials (Petitioner) position that revisions are necessary to NRC regulations and or guidance.

The Petitioner requested that the NRC revise its regulation and/or guidance to improve the labeling and accountability of tritium exit signs. These revisions include:

1. The labeling should be in several locations on the sign, with larger font;
2. An expiration date should be distinctly legible to a fire or building inspector without taking down the sign; and
3. The radiation trefoil should be displayed on the front and back of advertisements.

The Petitioner also recommended a national collection effort with distinct milestones and goals are undertaken to consolidate all expired and disused tritium exit signs.

Tritium exit signs that have been improperly disposed of have resulted in H-3 contamination in landfill leachate, and have on occasion affected ground waters and surface waters which could be utilized as sources of drinking water. In addition, it has



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become apparent that there is an issue with the present size and location of the trefoil on many signs such that the presence of a radioactive device often goes unrecognized by the owners of these signs. Additionally, it seems that many owners are unaware of the finite useful life of the signs due to the often poor placement of pertinent information.

Given the persistence of inappropriate disposals of tritium exit signs and the actual and potential impacts from those disposals, the NYSDEC supports the recommendation for a national collection effort. Such a national effort should involve the sign manufacturers as the responsible parties for reclamation or disposal of the tritium contained in outdated or unneeded signs. This effort should include provisions for signs whose manufacturers either no longer exist, or cannot be determined.

The NRC's consideration of this proposed rulemaking is greatly appreciated. The NYSDEC believes that revisions proposed in PRM 32-6 will increase the probability that these devices will be handled appropriately during their useful lifetime and afterwards, and that their implementation is in the best interest of public health and the environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin E. Dassatti". The signature is stylized and cursive.

Edwin E. Dassatti, P.E.

Director

Division of Solid and Hazardous Materials

cc: S. Gavitt, NYSDOH
A. Peterson, NYSERDA

Rulemaking Comments

From: John Mitchell [jimitche@gw.dec.state.ny.us]
Sent: Thursday, March 25, 2010 3:16 PM
To: Rulemaking Comments
Subject: NYSDEC's comments on Docket ID NRC-2009-0547
Attachments: NYSDEC Letter on DocketID NRC-2009-0547.pdf

New York State Department of Environmental Conservation comments on Docket ID NRC-2009-0547 are attached.

John Mitchell
New York State Department of Environmental Conservation Division of Solid and Hazardous Materials
Bureau of Hazardous Waste and Radiation Management,
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15:16:35 -0400

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X-MID: 14235502

X-fn: NYSDEC Letter on DocketID NRC-2009-0547.pdf

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25 Mar 2010 15:16:30 -0400

Message-ID: <4BAB7E41.8888.009C.1@gw.dec.state.ny.us>

X-Mailer: Novell GroupWise Internet Agent 8.0.1

Date: Thu, 25 Mar 2010 15:16:17 -0400

From: John Mitchell <jimitche@gw.dec.state.ny.us>

To: <rulemaking.comments@nrc.gov>

Subject: NYSDEC's comments on Docket ID NRC-2009-0547

MIME-Version: 1.0

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